UNITED NATIONS

GENERAL ASSEMBLY

Distr.
GENERAL

A/CONF.169/PM.1/Add.1
19 January 1994

ORIGINAL: ENGLISH

COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE
Third session
Vienna, 26 April-6 May 1994
Item 7 of the provisional agenda*

# PREPARATIONS FOR THE NINTH UNITED NATIONS CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS

## Discussion guide on demonstration and research workshops to be held at the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

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## I. BACKGROUND

1. The purpose of this document is to inform the regional preparatory meetings of the status of preparations for the six demonstration and research workshops included in the programme of work of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, as endorsed by the Economic and Social Council in its resolution 1993/32 of 27 July 1993. The present document outlines the envisaged substantive scope, content and format of and the practical and logistical arrangements for the workshops.

2. In this connection, it is relevant to recall General Assembly resolution 46/152 of 18 December 1991, adopted on the recommendation of the Ministerial Meeting on the Creation of an Effective United Nations Crime Prevention and Criminal Justice Programme, held at Versailles in November 1991, which approved the statement of principles and programme of action recommending the establishment of a United Nations crime prevention and criminal justice programme which was annexed to that resolution, designed to promote more effective international efforts in this field. In that annex, in paragraph 30 (d), the Assembly expressed the view that workshops on topics selected by the Commission, as part of the programme of a congress and ancillary meetings associated with the congresses, should be encouraged.

3. Accordingly, this matter was considered by the Commission on Crime Prevention and Criminal Justice, the preparatory body for the quinquennial congresses, at its first session in 1992 (E/CN.15/1992/7) and its second session in 1993 (E/CN.15/1993/9), in the context of its deliberations on preparations for the Ninth Congress. In a departure from past practice, i.e. holding one workshop (on juvenile justice) at the Seventh Congress[1] and two workshops (on alternatives to imprisonment and computerization), at the Eighth Congress,[2] and in pursuance of the recommendations of the Ministerial Meeting, the Commission at its second session recommended that a series of demonstration and research workshops should be held, as an integral part of the programme of the Ninth Congress.

4. The Workshop themes selected are closely interrelated to the four substantive topics included in the provisional agenda of the Ninth Congress, as contained and outlined in the discussion guide for the regional preparatory meetings (A/CONF.169/PM.1). Moreover, they are directly relevant to the three priority areas that should guide the work of the United Nations for the period 1992-1996, as determined in Economic and Social Council resolution 1992/22, section VI.*

5. With respect to the formulation of the Workshop themes, the Commission at its first session (E/CN.15/1992/7) had already noted that the workshops should figure more prominently in the provisional agenda of the Ninth Congress, thus permitting a more intensive and pragmatic exchange of results. The Commission was of the view that three guiding elements should govern the organization of the workshops at the Ninth Congress: (a) their ability to concentrate on current trends and issues in the field of crime prevention and criminal justice; (b) their research and/or demonstration value; and (c) their use as a forum for the effective exchange of expertise and experience. At the conclusion of

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*The priority themes are the following: (a) national and transnational crime, organized crime, economic crime, including money-laundering and the role of criminal law in the protection of the environment; (b) crime prevention in urban areas, juvenile and violent criminality; (c) efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies.

its deliberations, the Commission requested the Secretary-General, as reflected in Economic and Social Council resolution 1992/24, to prepare a discussion guide which should include proposals for the workshops.

6. During the interim period between the first and second sessions of the Commission, the Secretariat initiated its work, together with the United Nations Interregional Crime and Justice Research Institute (UNICRI) and the network of affiliated regional and associated institutes and centres for the prevention of crime and the treatment of offenders, on the elaboration of proposals for the workshops.

7. These proposals were presented to and discussed at the Eighth Annual Joint Programme Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network, at Sharja, United Arab Emirates, which welcomed the plans for a more prominent role to be given to the workshops by the Ninth Congress. The Eighth Coordination Meeting also expressed the view that consideration should be given to the following points: (a) substantive relevance and criminal policy importance of a proposed subject in relation to the Ninth Congress agenda; (b) its value in terms of technical cooperation, especially between developing and developed countries; and (c) possible multiplier effects i.e. the potential for utilizing the results transnationally.*

8. Subsequently, at its second session, during the finalization of the provisional agenda of the Ninth Congress, and in pursuance of Council resolution 1992/22, the Commission had before it a progress report (E/CN.15/1993/7) and a conference room paper (E/CN.15/1993/CRP.2) proposing possible themes, content, format and organizational arrangements for eight workshops, from which the Commission selected six, combining two proposals and converting one into a plenary discussion.

9. The Commission's Working Group on Preparations for the Ninth Congress noted with appreciation the assistance, sponsorship and cooperation of various parties. These included the Government of the United States of America, the Mediterranean Group of countries, the United Nations Interregional Crime and Justice Research Institute, the European Institute for Crime Prevention and Control, affiliated with the United Nations,** African Institute for the Prevention of Crime and the Treatment of Offenders, Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, Latin American Institute for the Prevention of Crime and the Treatment of Offenders, Arab Security Studies and Training Centre, Australian Institute of Criminology, International Center for Criminal Law Reform and Criminal Justice Policy, International Scientific and Professional Advisory Council, International Association of Penal Law, Max-Planck Institute for Foreign and International Criminal Law, Office of International Criminal Justice at the University of Illinois at Chicago, Constituent Board of the International Center for the Prevention of Crime (proposed Montreal Institute), and College of Architecture and Urban Planning at the University of Michigan (E/CN.15/1993/9, chap. V). It was mentioned, in this respect, that, as this work was being coordinated by the Crime Prevention and Criminal Justice Branch, it was expected that the number of contributors involved would substantially increase.

10. The Working Group further recommended that all efforts should be made to accommodate the Governments of developing countries interested in organizing or participating in the workshops, so as to fully utilize their experience. It highlighted the relevance, as well, of the participation of non-governmental organizations. With a view to encouraging a multidisciplinary approach to the subjects

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*The report of the Eighth Coordination Meeting was before the Commission at its second session, in document E/CN.15/1992/CRP.1, some copies of which are still available from the Branch.

**Formerly called the Helsinki Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI).

covered, the Working Group also noted the importance of involving expert members of delegations to the Ninth Congress to cover diverse disciplines.

11. These recommendations were approved by the Commission and are reflected in Council resolution 1993/32, which endorses the programme of work for the Ninth Congress, including the holding of six workshops (see annex I). In addition to the workshops, a one-day discussion on experiences in and practical measures aimed at combating corruption involving public officials will be held within the framework of the plenary of the Ninth Congress (see annex II).

12. Further, the Council expressed its appreciation of the initiatives of the interregional and other institutes cooperating with the Secretariat, as well as the initiatives taken by States in participating in the organization of and follow-up to such workshops; it invited donor countries to cooperate with developing countries to ensure their full participation in the workshops; and invited Member States, non-governmental organizations and other relevant entities to support, financially, organizationally and technically, preparations for the workshops.

13. In the same resolution, the Secretariat was charged with the task of coordinating all work relating to the holding of Ninth Congress workshops, and to undertake the necessary logistical steps, in collaboration with Member States and the network of institutes, to mobilize the participation of relevant parties. Accordingly, the Secretariat has, during the second half of 1993, made every effort to involve other potential participants in the preparation, conduct and follow-up of the workshops. The timetable of pre-Congress preparations is intended to invite further attention to ongoing and future preparatory steps.

14. The Secretariat also continues to undertake the necessary steps to develop a substantively sound and relevant programme for the workshops, mobilizing the involvement of any relevant party in their preparation and conduct. In this way it is hoped to ensure maximum practical results and benefits, in terms of research and policy guidance, that more adequately suit the needs of States and their criminal justice practitioners in efforts to deal with extremely complex contemporary criminological problems of common concern.

15. The present report was first submitted as a conference room paper (A/CONF.169/PM/CRP.1) to the regional preparatory meetings. It takes into account the comments and observations of the Commission on Crime Prevention and Criminal Justice, as well as the input provided and initiatives taken by States and other entities that have participated actively in the preparatory process.

16. The purpose of the guide is to bring to the attention of the regional preparatory meetings updated information concerning the status of each of the workshops in order to ascertain regional positions and views on the substantive problems, priorities and concerns of States in respect to the issues raised at each workshop.

17. Once the regional views have been expressed, they will be properly reflected in the reports to be submitted to the Commission at its third session, under item 8 of its provisional agenda, on Ninth Congress preparations (Economic and Social Council decision 1993/243). Further to final approval by the Commission, there would be a detailed plan or guide for the conduct of the six workshops at the Ninth Congress.

## II. ORGANIZATIONAL ARRANGEMENTS

18. The demonstration and research workshops should facilitate more effective action in the prevention of crime and victimization, as well as criminal justice reform worldwide. They would provide unique

forums in which to discuss both successful and unsuccessful measures used to confront specific criminological problems related to the substantive themes.

19. Representatives of Governments, intergovernmental organizations, non-governmental organizations and scientific institutions in attendance at the Congress are invited to participate in the workshops and to make presentations. For each workshop, a position paper would be prepared to serve as background for discussion.

20. Participants are invited to share their experiences and to present information on existing or envisaged research-oriented projects, programmes or other measures that have been effective or innovative in relation to the specific goals and objectives of the workshops. Particular emphasis should be given to those initiatives that have enhanced or have the potential to enhance bi- and multilateral technical cooperation and transfer of knowledge or technology.

21. As a matter of information, participants are being advised that, given the time constraints and the complex organizational requirements involved in the conduct of six workshops within the Congress forum, relevant materials, written and audiovisual, should be submitted, in a standard format to be determined at the third session of the Commission, at the latest by 1 October 1994, in any of the six official United Nations languages. All inquiries should be directed to:

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## III. NINTH CONGRESS DEMONSTRATION AND RESEARCH WORKSHOPS

22. The issues to be discussed in the six workshops are described briefly below.

### A. Extradition and international cooperation: the implementation of extradition principles in national legislation

23. International cooperation is required to successfully prevent and control transnational crime. This is particularly the case with increasing numbers of offenders fleeing from one jurisdiction to another in order to avoid penal sanctioning and even continue criminal activity. Organized criminality of particular concern in this regard includes, most notably, terrorism, illicit arms trade, drug trafficking, economic crime, such as international fraud, and participation in organized criminal groups.

24. Extending and improving extradition relations would serve to reinforce the effectiveness of action by Member States against transnational crime, by facilitating the apprehension and prosecution of offenders. The sharing of expertise in this area, initially through a workshop and subsequently by technical cooperation activities, would benefit all parties by increasing the ability of States to extradite offenders from other jurisdictions, thus strengthening the rule of law internationally.

25. Experience indicates that traditional legal procedures may constitute obstacles in dealing with contemporary forms of national and transnational crime and, thus, in effectively enforcing the rule of law. In an effort to bring about the necessary reforms to overcome difficulties and remove obstacles,

it is important and timely to consider the development of a well-coordinated global approach to extradition, involving a larger number of States in extradition relations and improving existing procedures.

26. The Model Treaty on Extradition, adopted by the General Assembly in its resolution 45/116, annex, provides a broad framework within which States can more efficiently cooperate in extradition matters, i.e. negotiate and conclude bi- and multilateral treaties, agreements and other arrangements. This Model Treaty reflects contemporary developments in the fight against transnational crime, taking into account new trends in extradition and the experience resulting from bilateral treaties.

27. Subsequent work related to the Model Treaty that is of particular importance to the theme of the workshop includes the results of the ad hoc expert group meeting, convened by the Crime Prevention and Criminal Justice Branch, in Vienna, in 1993, which considered the Model Treaty and model extradition legislation; the Ad Hoc Expert Group Meeting on Strategies to Deal with Transnational Crime, held at Smolenice, former Czechoslovakia, in May 1991, the recommendations of which included measures to improve extradition relations, as noted in Economic and Social Council resolution 1992/23 on organized crime; the European Institute for Crime Prevention and Control, affiliated with the United Nations Preparatory Colloquium of the International Association of Penal Law for its XVth Congress, in 1992; and the European Institute's survey of central and eastern European needs in the area of international cooperation, the results of which pointed to the need for more comparative research on extradition.

Scope

28. The workshop would focus on the identification of joint projects which could be undertaken by States in order to improve and make more effective extradition relations around the world. It would consider the basic elements of a plan for operational activities on which States could work together to strengthen international cooperation in terms of extradition relations.

29. The workshop would provide a forum where specific technical cooperation activities could be arranged or announced, possibly including training courses, study tours or fellowships.

Objectives

30. The workshop is designed to promote cooperation in the exchange of information and expertise between States with varying degrees of experience in the area of extradition. Its aim is to serve as a catalyst for technical cooperation activities through which extradition relations can be established and, where already established, enhanced.

31. Its specific objectives are as follows: (a) to enable a critical examination by States of their extradition legislation, policies, practices and arrangements; (b) to provide information on and raise awareness of the role and value of extradition in strengthening the rule of law, nationally, regionally and interregionally; (c) to enhance dialogue on issues affecting viable extradition practice and provide a forum through which assistance might be arranged to improve extradition arrangements; (d) to serve as a basis for future technical cooperation activities that will provide States with practical guidance on procedures involved in responding to extradition requests, securing extradition, for example, through practical training for officials involved in extradition matters; (e) to suggest ways that would better enable States to address areas of common concern in matters of extradition; and (f) to consider possibilities for the ratification and implementation of existing conventions and of concluding other bi- - or multilateral agreements.

Format

32. In advance of the Congress, States are invited to communicate their interest in participating in or organizing workshop activities and to specify their substantive concerns for workshop discussion. Their views will be incorporated in national position papers, on the basis of which partnerships for future technical cooperation and other operational activities could be made.

33. A preparatory meeting might be useful to discuss the matching process and identify some of the projects that may be agreed upon at the Congress and then followed up.

34. Before and during the Congress, States may submit papers or reports, highlighting the programmes or resources that are currently available in their countries that might be of assistance in enhancing the capabilities of other States in extradition matters. This material might also highlight the most serious difficulties being experienced in extradition cases in jurisdictions that could be realistically addressed through operational activities.

Participation

35. Participants would include government officials from ministries of justice, foreign affairs and of the interior, including judges, prosecutors and lawyers and other legal experts acquainted with principles and practices involved in extradition arrangements. In addition to the United Nations International Drug Control Programme, representatives from the United Nations Development Programme (UNDP), as well as from other organizations with a special interest in extradition, would be invited to participate in the workshop discussions.

Results

Multiplier effect

36. The workshop would generate important information on various forms of technical assistance, including drafting legislation and training, and would be of assistance in respect of negotiations and decisions on future forms of technical cooperation in this area. Further, it would provide a mechanism for extending relations and implementing treaties based on the Model Treaty on Extradition. Progress made in extending and improving extradition relations would reinforce the effectiveness of action by States against national and transnational crime, by facilitating the apprehension and prosecution of offenders.

Policy impact

37. The workshop would demonstrate the value of a policy commitment to extradition and the extension of extradition relations, inform participants of options available to improve the effectiveness of extradition procedures and advise them of the technical assistance possibilities available internationally by which policies may be translated into law and procedure.

Technical cooperation value

38. The workshop would provide information on forms of technical assistance, including the drafting of legislation and information on the training of officials involved in the extradition process. It could also provide an opportunity for possible negotiations and decisions on technical cooperation.

39. A plan of action, detailing technical assistance activities that States could undertake to improve such cooperation would be formulated. The plan would outline the objectives, expected results, countries involved and schedule for completion of the projects. The country papers submitted would be used as a longer term resource by the Secretariat to plan future operational activities. They would be prepared as an inventory of extradition needs and services, and would be made available to States, upon request.

## B. Mass media and crime prevention

40. Increasing attention is being accorded to the important role of the mass media in public crime prevention education, especially in the context of those urban environments most plagued by crime. This role lends itself to international action, in terms of awareness-raising and the sharing of practical experience.

41. The influence of the mass media, particularly on the young, has been a subject of intense debate in the last few decades. While research evidence is yet inconclusive in respect of the actual impact of audiovisual media, the prevailing general view is that children are likely to receive negative messages from certain types of television and video programmes. The introduction and enforcement of various forms of regulation and/or censorship of media programmes has been the traditional approach to address this concern.

42. In contemporary times, public, private and government sectors increasingly utilize the mass media to inform, raise awareness and advise the public, providing basic, useful information on certain issues of immediate concern e.g. prevention of acquired immunodeficiency syndrome (AIDS), domestic violence, child abuse, and the dangers and risks involved in drug and alcohol consumption.

43. In the light of the world crime situation, and taking into account the powerful influence of the mass media and its potential educational usages, the development of highly effective, quality crime prevention and criminal justice education programmes would be highly beneficial for all concerned. They would constitute a contribution to the wider effort to prevent crime and victimization, to identify the risks involved and to decrease criminal opportunities.

### Scope

44. The workshop would address various concerns in regard to the mass media's coverage of crime-related matters, in particular, violent crime, presentation of the effectiveness of criminal justice agencies and portrayals of the prevention of crime and victimization.

### Objectives

45. The workshop is intended to encourage the concrete exchange of views and experiences, with a view to the elaboration of draft policy recommendations on the role of the mass media in the field of crime prevention. The workshop aims to bring to light initiatives in the design and utilization of successful crime prevention programmes related to the mass media, particularly in the portrayal of factors conducive to crime, and to advise on how to avoid personal victimization.

46. Its specific objectives are (a) to review mass media programmes in relation to crime prevention; (b) to examine the media's portrayal of crime prevention; (c) to display, during the workshops, a set of crime prevention-related films, videos and other material; (d) to assist in the development of new media material and aids; and (e) to explore ways by which States could cooperate in the establishment of an

electronic database on crime prevention-related media programmes and in the continuous exchange of information.

Format

47. The workshop will involve (a) presentation of a position paper; (b) expert panel responses to the position paper; (c) discussion of select of mass media-related crime prevention programmes; (d) a display of films, videos, publications, posters and other material; (e) resources permitting, discussion among film and video producers on crime prevention of the development of such material; and (f) presentation (via satellite) of the views of major media personalities.

Participation

48. Participants would include Government representatives, media specialists, representatives of relevant intergovernmental and non-governmental organizations.

Results

Multiplier effect

49. The workshop would provide a forum for demonstrating how the mass media could be used effectively in the crime prevention field. It might be possible, on the basis of the results of the workshop, to develop a database, established within the United Nations Criminal Justice Information Network, that includes information on innovative and highly successful programmes in use. Further, it would examine the impact of print and audiovisual media as a major influence on opinion making in various countries and its capacity to serve as a powerful educational tool in the crime prevention field.

Policy impact

50. It is envisaged that after the Ninth Congress, on the basis of the results of the workshop, a technical guide would be issued. The guide would contain information on which States would be able to base an assessment of their mass media programmes in the context of their own problems and experiences, and in the light of crime prevention objectives. It might offer alternatives to current approaches and highlight how programmes being implemented in one setting could be adapted to another.

Technical cooperation value

51. The workshop would result in the compilation of a roster of experts who could advise on collaborative projects. As mass media involvement in public crime prevention education requires special skills, the workshop would consider ways of facilitating training and other technical activities, including study tours.

## C. Urban policy and crime prevention

52. The need for an interdisciplinary approach to urban policy has largely been neglected, despite the continuous increase in the world's urban population. This increase is not recent in industrialized countries, but is accelerating in the developing countries. In 1950, 17 per cent of the total population lived in urban areas, and this is expected to climb to 61 per cent by the year 2025.[3] While almost half of the world's population is already urban, by the first quarter of the next century the majority of the world's inhabitants will live in urban settlements, with an increasing share of the world's poor inhabiting rapidly growing urban agglomerations.

53. Urban settings increase opportunities for the commission of crime, particularly in terms of disintegrating neighbourhoods, decreasing social organization and a diminishing sense of community. Thus, in dealing with crime and ensuring community safety in urban settings, specific responses are necessary.

54. In modern cities, many localities, public and private, rather than serving the purpose for which they were originally designed and intended, are being used for criminal activities. Many of these activities (e.g. prostitution, drugs, use of weapons) have become characteristic of particular places, public (parks, pedestrian walkways) or private (commercial centres). Depending upon their legal status, they are subject to different forms and levels of control. At times, this control is not exercised at all, due to possible conflicting claims. Such a situation calls for discussion of approaches and measures that may be applied in rendering such places safe and usable by the community with a view to making them accessible to all.

55. Local government agencies and organizations are responsible for many of the services that affect the safety and health of communities. Local services such as education, urban planning, recreation, policing, economic development, and social and health, all have an impact on the level of safety in communities and, in many respects, render urban dwellers more or less likely to fall victim to crime.

56. Urban crime contributes to the disintegration of social ties, an effect that is incompatible with the concept of sustainable development. Urban crime further undermines sustainability, by inhibiting social and economic development of endangered areas. Relative peace and security are prerequisites for investment and sustainable financial activity.

57. National development policies should integrate appropriate crime prevention strategies in order to achieve sustainability. Sound urban policy should be an instrument for the promotion of a safe urban environment that has community support and involvement, and that fosters public respect for law and order, bearing in mind environmental protection and crime prevention concerns.

58. Urban planners have a crucial role to play in order to reduce the opportunity for criminality and personal risk in terms of victimization. They can recommend urban design criteria, landscape guides for shared public spaces, as well as equipment and facilities designed to ensure safety.

59. But urban policies alone are not sufficient to ameliorate the quality of life in urban areas. In multi-ethnic and multicultural cities, cultural traditions and concepts of common dwelling often lead to diversification of urban cultures and ways of utilizing urban public places. Thus, it is essential that urban policies are geared to promoting group cohesion rather than individual and group isolation, aggression and conflict.

60. As stated in Principle 3 of the Declaration of the United Nations Conference on Environment and Development, held at Rio de Janeiro, 3-14 June 1992,[4] sustainable development aims to meet equally developmental and environmental needs of present and future generations. It involves many dimensions and emphasizes long-term and intersectoral strategies, in conformity with environmental concerns aimed at protecting global resources for future generations.

61. It is in this context that crime prevention initiatives have to be framed, considering also that urban safety is a renewable resource maintained through reconstruction of the community's socio-economic fabric, increasingly endangered by crime.

Scope

62. Because much urban crime and insecurity is preventable, the workshop is designed to identify the basic elements of an urban policy that reduces crime and victimization, and the fear they engender. Possible solutions to urban crime problems will highlight the importance of the integration of social development, situational crime prevention and criminal justice responses.

63. The workshop would focus on the obvious need for complementary, collaborative and supportive efforts at the local level that are bolstered by those at the national and international levels. The impact of urban policies on the quality of life in urban communities will be illustrated and discussed, with a view to identifying more effective and humane crime prevention and control measures.

64. As a global forum, the workshop could provide insights to interrelations of urban policy and crime prevention in the context of sustainable development and also lead to action-oriented solutions.

Objectives

65. The specific objectives of the workshop are as follows:

(a) To review the situation with respect to crime prevention and urban safety, including crime, economic and social indicators and trends, and the challenges of the future;

(b) To identify areas in which crime prevention strategies may be most meaningful and influential in enhancing urban safety;

(c) To present a range of feasible options in response to urban crime-related problems, by developing a comprehensive, integrated urban policy based on the collaborative efforts of those involved in community well-being;

(d) To encourage the development of legislative and policy initiatives that integrate crime prevention into urban and government priorities, with a view to encouraging national Governments and the private sector to offer financial and other support for projects in urban crime prevention;

(e) To review urban planning projects, including those for public housing, model ordinances and building codes for materials and stairwell design; mixed land-use zoning laws and forecasting techniques, use of physical devices in crime prevention and holistic planning to accommodate service delivery within communities, with due regard to integrating it in comprehensive legal and financial policy;

(f) To examine inter-agency cooperation in securing safety in public places, including strategic planning procedures and simulation techniques, and computer-aided graphic information systems;

(g) To discuss ways of promoting greater citizen involvement in the development and implementation of sound urban policy initiatives aimed at humane and efficient crime prevention and community safety.

Format

66. The workshop would involve presentations of examples of initiatives and actions that have proven successful in reducing crime and enhancing safety in urban environments, with a view to sustainable

development. They would emphasize processes of decentralization of responsibilities, i.e. empowerment, with a view to attaining social justice.

67. Information on measures and initiatives would be presented on (a) youth; (b) family-related issues; (c) women's safety; (d) vulnerable groups; (e) underprivileged areas within cities; and (f) policing. They will be presented and demonstrated on the basis of their (a) potential adaptability to and modes of implementation in other socio-cultural settings; (b) cost-benefit; (c) economic feasibility; and (d) ease of management.

Participation

68. As it is important to encourage a broad multidisciplinary participation so as to promote crime prevention initiatives at the national and community levels, and to foster the development of joint and cooperative technical cooperation endeavours, representatives of possible donor and recipient States should participate.

69. In particular, participants would include (a) criminal justice professionals (ministry officials, crime prevention specialists, criminologists); (b) city officials (mayors and city managers, but also urban planners and architects, social workers, health and education specialists); (c) representatives of developmental aid agencies; (d) representatives of intergovernmental organizations competent in urban-related issues, such as the United Nations Centre for Human Settlements (Habitat) and the United Nations Environment Programme; (e) international development and funding agencies; (f) community organizations, particularly those working in the key issue areas; and (g) experts from the private sector.

Results

Multiplier effect

70. It is envisaged that follow-up activities would be undertaken, such as (a) development of a collection of projects; (b) formulation of a model interdisciplinary training scheme on crime control, as a part of broader human-settlement policies; (c) design of pilot projects that demonstrate comprehensive crime prevention efforts; and (d) mobilization of support for development of crime prevention initiatives between twin-cities.

Policy impact

71. The proceedings of the workshop would form a United Nations technical guide on the subject of urban policy and crime prevention, to be issued after the Ninth Congress. This guide may prove instrumental in implementing human-settlement policies, to be further developed by the United Nations, including those that aim to improve human rights.

Technical cooperation value

72. The workshop would consider bi- and multilateral assistance mechanisms that would encourage national agencies to realize projects on urban policy and crime prevention. In view of the unbalanced rate of development in many parts of the world, such initiatives may assist in balancing out urbanization and industrialization as well as reducing the undesirable affects of these processes.

## D. Prevention of violent crime

73. Violence is any act that results in physical or psychological injury or harm. It does not occur in the same form in all societies. In some places, it occurs more frequently than in others, and the risk of becoming a victim of violence is not shared equally. Definition of what constitutes violent conduct is subject to different legal as well as socio-cultural norms and practices.

74. Violence is a process that occurs at the individual and societal levels, and is at the forefront of the international scene. It results from the absence or weakness of negotiations that attempt to reach mutually agreeable resolutions of conflict.

75. Violent conflicts at the local level prepare the ground for those at the national or international level, including terrorist activities - the macrocosm reflecting the microcosm. Recent events demonstrate that once a conflict has reached broad dimensions, solutions are difficult to find; abrupt collective violence decreases opportunities for reasonable and well-considered proposals. In view of the interrelationships between local and international conflicts, measures aimed at the prevention of violence have to be implemented at various levels.

76. In the wake of conditions giving rise to anonymity, especially characteristic of large urban agglomerations, violence can lead to situations of fear, isolation, insecurity, brutality and victimization, including violations of human rights, on a significant scale. Ethnicity and race are often linked to this process and they may be employed to mobilize a population in a fight to reach certain political objectives. Collective violence, such as violence in sporting events, provide significant examples of the interrelation between social issues, conflict and interpersonal violence, and calls for the development of an array of response options.

77. Serious consideration has been given in recent years, at international and national levels, to the problem of violence against women. In many parts of the world their maltreatment continues to be hidden, denied, minimized, widely tolerated and interpreted on the basis of acceptable cultural norms and traditions. Violent acts that in another context would be considered criminal are legitimized when perpetrated against women in the private sphere, and the response, at every level, has been inadequate. Similar considerations apply in respect of children.

### Scope

78. The workshop would cover a range of issues relating to interpersonal violence, including street crime, ethnic strife and civil disorder, terrorist activities, drug-related violence, violence against migrants, prison violence and domestic violence.

79. It would focus on the key actors in violence prevention, coming from services concerned with education, employment, housing and schools, as well as from justice services. In terms of justice services, the workshop would examine ways in which the police could strike a balance between prevention and enforcement, emphasizing the preventive aspects of their work. Such training might include effective institutional response and special services and facilities, for example, social inquiry procedures, educational support, medical services and organization of training courses for law enforcement personnel to prepare them to deal with the issues relating to domestic and other forms of violence.

80. The workshop would address violence prevention in the perspective of projected policies that address the factors conducive to violence, focusing on successful programmes that represent multi-strategic approaches and that are cost efficient.

81. It would examine the increasing use and reliance on mediation and other reconciliation procedures, due to the need (a) to provide greater redress for victims; (b) to relieve the pressures on the courts; (c) to improve the perception of justice by the public and enhance its participation, particularly important where indigenous or ethnic groups exist; and (d) to resolve easily cases where the offender and the victim have a continuing relationship, as is the case in the workplace, family or neighbourhood, including when racial considerations are involved.

82. The role of the United Nations in violence prevention would, undoubtedly, be discussed at the workshop, as United Nations action, in order to contribute to lasting peace, should address not only the immediate but also the underlying causes of conflict: political oppression, social injustice, under development and violation of human rights. An important factor is that the approach of the Organization, a global one, should be integrated with efforts at other levels - in order to build the institutions of peace and, above all, to consider the conditions in which peace can endure.

83. The Crime Prevention and Criminal Justice Branch recently prepared "Strategies for confronting domestic violence: A resource manual" (ST/CSDHA/20), which could be used as a background documentation for the workshop.[5]

Objectives

84. The workshop would consider various forms of violent crime, and possible countermeasures, focusing on conflict resolution. Its specific objectives would be (a) to differentiate the various types of violence and their consequences; (b) to identify where urgent action is needed; (c) to specify concrete action that could be taken in order to prevent violent crime, including possible models that could be adopted, reinforcing multinational, intersectoral and interdisciplinary partnerships; (d) to consider various policy options and requisite resource levels for implementation; (e) to identify mechanisms for evaluative research; and (f) to facilitate technical cooperation between States.

Format

85. The workshop would involve the presentation of cases involving violence, including acts directed at women. They would take into account different levels of prevention (i.e. primary, secondary, tertiary), different types of prevention (e.g. through opportunity reduction, community and social development, civic responsibility), and bear in mind the selection of examples from different regions, representing different approaches with the capacity or likelihood for successful implementation.

86. The workshop would consider ways of undertaking an interregional search for additional knowledge on: (a) factors related to violence; (b) best practice models (i.e. those that have proved effective); and (c) successful delivery mechanisms, including national and city councils, funding programmes and government or other agencies.

87. A multimedia presentation on types, consequences and causes of violence would be prepared, funding permitting, and examples of multilateral cooperation would be presented.

Participation

88. Participants, including officials from ministries of health, education, housing, justice and public security, and offices dealing with the status of women and with matters concerning youth, would have an interest in how programmes, in partnership with others, could reduce levels of violence.

89. Experts from the United Nations and its specialized agencies, including United Nations Children's Fund (UNICEF), UNDP, United Nations Development Fund for Women (UNIFEM), United Nations Educational, Scientific and Cultural Organization (UNESCO) and World Health Organization (WHO), would be invited to attend. Private sector participation will also be encouraged.

Results

Multiplier effect

90. The workshop would reinforce multilateral, intersectoral and interdisciplinary partnerships in the crime prevention field, with a view to responding more effectively to the prevention and control of violence. In this respect, possible partnerships will be explored in terms of cooperation between United Nations offices and other specialized agencies including UNDP.

Policy impact

91. The workshop would serve to highlight best-practice models and delivery mechanisms at a national and international level and provide States with information on programmes that work in preventing violent crime.

92. It would encourage Member States to ensure an adequate level of resources for primary, secondary and tertiary prevention activities.

93. Results of the discussion on conflict resolution techniques, including both crisis intervention and long-term approaches, could be utilized in future training courses. By refining knowledge and expertise, cadres of qualified personnel could be employed in applying violence-reduction measures at various levels.

Technical cooperation value

94. From an interregional search and drawing on the results of studies conducted by the special commissions established in a number of countries, it may be possible to identify mechanisms for evaluation and research that could be used by Governments in implementing more effective violence prevention.

95. Examples of multilateral regional cooperation are expected to encourage the development of suitable models for other regions.

96. A plan of possible action for technical cooperation, including events geared to providing additional information on issues such as victims assistance, might be considered.

## E. Environmental protection at national and international levels: potential and limits of criminal justice

97. The international community particularly in recent years, has become increasingly alarmed by environmental damage by technological accidents and other disasters that have affected very large populations. Responses have been primarily directed at relief action. But the actual and potential consequences of environmental disaster have become so grave and global in scope that it has been realized that much greater emphasis needs to be given to prevention.

98. The role of criminal justice in the protection of the environment has become significant, as the consequent environmental harm, damage and degradation of some disasters, extending beyond national borders, have come to light, underscoring implications in terms of criminal law and international criminal justice cooperation.[6]

99. Considerable progress has been made in the protection of the environment through criminal law, which has included research and studies of a number of international organizations and professional associations, in particular, of the European Committee on Crime Problems of the Council of Europe.*

Scope

100. During the workshop presentations will be made of the results of the empirical study specifically developed for this purpose, covering 11 developing and industrialized countries. This includes case-studies of criminal justice responses (a) to transboundary pollution; (b) to environmental damage caused by the operations of large-scale enterprises involving inadequate risk management; and (c) to conduct leading to pollution resulting from the everyday activities of small enterprises, businesses or individuals.

Objectives

101. The workshop would foster the exchange of experience and development of mechanisms for international cooperation in this field. It would provide material for inclusion in technical advisory services, research assistance, training and teaching packages. Moreover, it would provide a forum where specific technical cooperation activities can be arranged or announced, such as research guidelines that could be made available to Member States, study fellowships and either bilateral or multilateral training seminars in the area.

102. Its specific objectives are (a) to provide information on the response to pollution incidents in different countries and legal systems; (b) to promote research into the different strategies and effects thereof on the prevention and reaction to environmentally harmful and threatening behaviour; and (c) to discuss selected issues in the realm of criminal justice response to pollution incidents from a comparative perspective and with a view to facilitating international cooperation.

Format

103. The policy impact of and different legislative approaches to various problems would be discussed by a panel of experts, providing the framework for the undertaking of future collaborative activities.

104. Alternative policies to address environmental threats would be highlighted by providing examples of criminal justice responses of different countries. Consideration will be given to research strategies and guidelines to support environmental protection, and an expert meeting is being organized by the International Centre for Criminal Law Reform and Criminal Justice Policy, Vancouver, Canada.

105. Member States would be encouraged to address their problems in environmental protection and either to seek assistance through technical cooperation projects or to provide such assistance.

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*For example, the Max-Planck Institute is finalizing a study entitled "Environmental protection by means of the criminal law? National and transnational". It consists of national reports on law provision for environmental protection from 25 countries and a criminological study on implementation of administrative and criminal law in the former Federal Republic of Germany.

106. The workshop will consist of four parts: (a) presentation of the background material and discussion guidelines; (b) presentation and discussion of selected case-studies; (c) an expert panel; and (d) discussion focusing on development of research and international cooperation strategies.

107. An expert panel will discuss the question of criminal responsibility. Research publications of UNICRI/Australian Institute of Criminology, the Max-Planck Institute and the European Institute, including examples of relevant research instruments, will be made available.

Participation

108. Participants would include governmental representatives, environmental agency officials, representatives from relevant United Nations bodies, intergovernmental and non-governmental organizations, and research and academic community with an interest in the area.

Results

Multiplier effect

109. The workshop will provide a forum in which to exchange ideas, information and experiences that will contribute to an increased understanding of appropriate responses to environmental disasters and other incidents. The development of a shared perspective on the problem and a coordinated approach by Member States would enable the transnational effects of environmental harm, damage and degradation to be more effectively addressed. This would highlight the importance of environmental factors in the planning and implementation of development objectives and to increase awareness of the importance of diversified strategies at national and international levels to control pollution.

Policy impact

110. Discussion, by a panel of experts, of specific environment-related problems and presentation, through selected case-studies, of different legislative approaches, would provide some basis on which States could consider their present policies and practices.

Technical cooperation value

111. The workshop could result in the development of mechanisms for international cooperation in this area. It would provide material for use in technical advisory services, research and training schemes.

## F. International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information

112. Advances in information technology have revolutionized many concepts and methods of information processing and public administration management. Information technology has changed and will continue to change the processes of public administration, including the disposition of justice. It has the potential to increase greatly the efficiency and effectiveness of police, courts and other criminal justice agencies by providing a wealth of information services, options for and solutions to management problems, as well as assistance to prosecution and crime prevention.

113. In most countries crime has been growing steadily during the 1980s and into the early 1990s, increasing the already strained workload of criminal justice agencies, particularly in respect of prosecution and court systems.

114. The 1990s present a time of important opportunities and difficult challenges for the administration of criminal justice. Technological change in information technology - hardware, software and data communications - will continue to progress at a rapid pace. At the same time, it can be expected that prices of computer hardware and software will continue to fall, or that similar products will appear on the market with still greater capabilities.

115. The array of possibilities of developing information systems is vast even in the developed countries; and for developing countries, the challenges are even greater. The potential of the information technology in the context of North-South cooperation should be appreciated.[7]

116. Presentation of successful projects ranging from computerization of small jurisdictions and of simple automation procedures to more complex and system-wide computerization should offer participants of a workshop a wide spectrum of approaches to automated management of criminal justice information.

Scope

117. As a growing number of States wish to incorporate information technology as a means of improving their criminal justice operations, there is a need for an international review and an exchange of information and experiences on the range of available innovative applications of information technology, in particular, in criminal justice and developments in criminal law and protection against the misuse of computers, i.e. what is referred to as computer crime. In this respect, ways by which the United Nations can render assistance to States embarking on the automation of criminal justice operations might be discussed.

118. Significant differences exist in terms of the national statistical capabilities between developed countries. But the contrast is even greater between developed and developing countries.*

119. Two rounds of the International Crime (Victim) Survey were carried out in 1989 and 1992 encompassing altogether some forty developed countries, including countries in central and eastern Europe, and developing countries.**

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*This has been confirmed in the course of the three United Nations Surveys on Crime Trends and Operations of Criminal Justice Systems and Crime Prevention Strategies (1970-75; 1975-80; 1980-86), carried out by the Crime Prevention and Criminal Justice Branch. The Fourth Survey (1986-1990) is presently underway.

**The results of the first victimization survey were presented in Jan J. M. van Dijk, P. Mayhew and Martin Killias, Experiences of Crime across the World (Deventer, the Netherlands, Kluwer Law and Taxation Publishers, 1990); the results of the second victimization survey were presented at the International Conference on "Understanding crime: Experiences of crime and crime control" organized by UNICRI, the Italian Ministry of Interior and the Dutch Ministry of Justice (Rome, 1992), and subsequently published in A. Alvazzi del Frate, U. Zvekic and Jan J. M. van Dijk, eds., "Understanding crime: Experiences of crime and crime control", UNICRI Publication No. 491993. The results of the Third United Nations Survey of Crime Trends, Operations of Criminal Justice Systems and Crime Prevention Strategies were published in Crime Trends and Criminal Justice Operations at the Regional and Interregional Levels (United Nations publication, Sales No. E.94.IV.2).

120. Experience suggests that information is most needed by those States that are beginning the process of applying information technology to the administration of criminal justice, and that wish to build on the known strength of various approaches to the problem of computerization in criminal justice, and avoid the mistakes of others.

121. Of particular relevance to the discussions of the workshop is the role of accountability of criminal justice operations in democratic societies. This topic was considered by a meeting organized by UNICRI and the Crime Prevention and Criminal Justice Branch called "Planning meeting on the development of United Nations Criminal Justice Information", held at Rome in June 1992, which called for the preparation of a report on crime and justice in the world.* The Meeting recommended that strategies for criminal justice information should include (a) United Nations surveys of crime trends and operations of criminal justice systems; (b) victimization surveys; (c) country criminal justice profiles; (d) studies on special issues; and (e) surveys and studies of crime prevention and control policies and programmes.

Objectives

122. The workshop is intended to contribute to the improvement of criminal justice management by the transfer and innovation of information technology, in the context of bi- and multilateral technical aid programmes. During the workshop emphasis should be placed on (a) how criminal justice management can be improved through technology transfer and innovation in the context of multilateral and bilateral technical programmes; and (b) the development of reliable and multiple data sources and strategies, their analysis and use for policy monitoring and evaluation.

123. The workshop is also intended to provide some support for the development of reliable and multiple data sources and strategies. In addition, the workshop will provide an opportunity for an exchange of experience between policy makers, researchers, experts and practitioners.

Format

124. The workshop, building on the results of previous workshops held at the Seventh Congress and the Eighth Congress, would consist of the following items (a) progress report on the fourth United Nations report on crime and justice in the world; (b) introduction of regional reports on the Fourth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems; (c) presentation of the United Nations Criminal Justice Information Network (UNCJIN); (d) review of research and policy use of criminal justice information: selected examples from jurisdictions in both developed and developing countries; (e) needs assessment in terms of computerization in criminal justice administration; (f) principles of computerization of criminal justice information, including a review of criminal justice computer applications: investigative systems prosecution, courts and corrections; and (g) review of experiences with technical cooperation projects on computerization of criminal justice information and exploration of modalities for future cooperation.

125. In addition to the official workshop, an ancillary two weeks symposium organized by the European Institute is proposed. During that symposium on computerization of criminal justice information, the Institute envisages organization of exhibition of computer criminal justice applications with separate

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*See the UNCJIN Crime and Justice Letter on "The cost of criminal justice", published in November 1991. See also "The Fourth United Nations Crime Survey 1986-1990" and "Criminal victimization: a global perspective" in the double issue of the UNCJIN Crime and Justice Letter, vol. 1, No. 1/2 (1993).

podium presentations on discussion of national experiences by delegations, including representatives of technical aid agencies of donor countries, and with papers by leading information technology companies (hardware, software, telecommunications).

Participation

126. Participants at the workshop will include government representatives, especially criminal justice administrators, criminal justice statisticians, researchers and computer experts, the United Nations Statistical Division and representatives of development aid agencies.

Results

Multiplier effect

127. The demonstration of successful projects may have a significant potential for the promotion of related projects in countries interested in computerization of criminal justice administration. The workshop may improve national statistical capabilities in criminal justice areas, especially those of developing countries.

Policy impact

128. The workshop is expected to provide a mechanism for identifying the needs of countries in developing and automating criminal justice statistical databases, and in organizing training seminars for statistical staff. The workshop should promote the development of a mechanism for the training and exchange of criminal justice personnel in the area of computerization in criminal justice administration.

Technical cooperation value

129. The workshop would elaborate a set of practical-oriented recommendations with an emphasis on technical assistance, pilot, demonstration and training projects in developing countries, and a further strengthening of United Nations activities in collection and dissemination of criminal justice information and related matters.

## G. One-day plenary discussion: experiences and practical measures aimed at combating corruption involving public officials

130. The concern of the United Nations with the problem of corruption has been of some years' standing. The matter has been discussed by the quinquennial congresses, particularly in connection with new forms of criminal activity and crime prevention planning in the context of development. In 1989, the Crime Prevention and Criminal Justice Branch, in cooperation with the Department of Technical Cooperation for Development of the Secretariat, organized an Interregional Seminar on Corruption in Government, hosted by the Government of the Netherlands at The Hague (document TCD/SEM.90/2 INT-89-R56). The Seminar was attended by high-level officials from 18 developing countries from all regions and by observers from 8 developed countries, non-governmental organizations, academic institutions, independent anti-corruption bodies and ombudsman's offices. The Branch has also made substantive contributions to the Fourth and Fifth International Anti-corruption Conferences, held in 1989 and 1992 in Australia and the Netherlands, respectively.

131. The Eighth Congress adopted resolution 7 on corruption in government (A/CONF.144/28/Rev.1). The Congress recommended that Member States devise a variety of administrative and regulatory mechanisms for the prevention of corrupt practices and invited them to review the adequacy of their

criminal laws, including procedural legislation, to respond to all forms of corruption and actions designed to assist or facilitate corrupt activities. The Congress requested the Secretariat to provide technical cooperation assistance to requesting Member States in the fields of strategic planning of anti-corruption programmes, law reform, public administration and management, training of public officials and criminal justice personnel, and assistance in the tendering of international aid projects. The Secretariat was also requested to organize regional and interregional seminars, expert group meetings, workshops or other appropriate activities for the sharing and exchange of information on anti-corruption techniques, laws and research results, also for the examination and promotion of improvements in institutional arrangements and processes, management improvement of the justice process and databases, including the use of computers, for improved decision-making. The Branch was requested to develop a draft international code of conduct for public officials and submit it to the Ninth Congress.

132. The Congress had before it the Manual on Practical Measures against Corruption, which had been prepared by the Secretariat with the valuable assistance of the United States Department of Justice. Since the Congress, the Manual has been circulated to experts around the world and the comments received have been incorporated to produce a revised version, which was recently published in the International Review of Criminal Policy, Nos. 41 and 42.[8]

133. The issue of corruption received further attention by the General Assembly, which adopted resolution 45/107 on international cooperation for crime prevention and criminal justice in the context of development. The Assembly reiterated the recommendations of the Eighth Congress regarding the measures that should be adopted by Member States and recommended that the Branch coordinate the elaboration of materials to assist countries in their efforts against corruption and provide specialized training to judges and prosecutors that would qualify them to deal with the technical aspects of corruption.

134. The General Assembly, in the statement of principles and programme of action annexed to its resolution 46/152, decided that the United Nations crime prevention and criminal justice programme shall be designed to assist the international community in meeting its pressing needs in the field of crime prevention and criminal justice and to provide countries with timely and practical assistance in dealing with problems of both national and transnational crime. Among the goals of the programme would be the integration and consolidation of the efforts of Member States in preventing and combating transnational crime and the promotion of the highest standards of fairness, justice and professional conduct.

135. At its second session, the Commission had before it a number of suggestions regarding possible subjects of workshops to be organized at the Ninth Congress (E/CN.15/1993/7 and Corr.1). Corruption was one of those subjects. On the recommendation of the Commission, the Economic and Social Council decided, by its resolution 1993/32, to devote to the issue one day of plenary deliberations at the Ninth Congress.

Scope and objectives

136. Recent developments have drawn international attention to the effects of malfeasance by public officials. Various incidents that have captured public interest, mainly through the exposure accorded them in the printed and electronic media around the world, offer proof of the problem's dimensions and the urgency of action to solve it. These incidents have served as a reminder of the vulnerability of all societies to corruption, whatever their degree of development. Often, the exposure of large-scale corruption has set in motion a chain of constructive political developments that would otherwise not be feasible, or require considerably more time.

137. A thorough study of recent occurrences, and their consequences, will certainly reveal many new aspects of the problem and possible solutions. In this context, an exchange of information and experiences will be extremely useful. National experiences vary, because of cultural approaches and differences in legal systems. The fact that cases of wrongdoing involving considerably powerful individuals or entities have been uncovered and brought to justice is in itself noteworthy. In some instances, the success of investigations was due to the dedication and integrity of judicial authorities. In others, it was the media that spearheaded the probes. A remarkable feature is that the public reaction to contemporary scandals is far more forceful than in previous times, thus contrasting apathy that made action more difficult. Public reaction has served as a catalyst, or a motivating force, often speeding up action against corruption. This is particularly important because of the almost inherent difficulties of anti-corruption efforts, which are largely due to the consensual nature of the problem. The Ninth Congress may wish to explore the various aspects of the latest developments and draw on their effects for the purpose of devising more effective measures against corruption.

138. The dangers posed by corruption are magnified and exacerbated by its reciprocal relationship with organized and transnational crime. In a world that is constantly changing and becoming more interdependent, the long-term consequences of that relationship merit attention and consistent action. International cooperation is especially important at present, particularly considering the sophistication and flexibility of organized and transnational criminal groups. The Congress may wish to explore the links between corruption on the one hand and organized criminal activity on the other, and seek new ways of strengthening and promoting international cooperation at all levels.

139. Concern over corrupt activities and their consequences is growing also in financial circles around the world. At a time of financial constraints, financing institutions, donor agencies and countries are growing more wary of practices that divert resources from their intended purpose. Recent developments suggest that there is a growing trend towards a more efficient management of funds intended for aid and technical assistance. In this regard, the Congress may wish to direct attention to the issues associated with international financing activities and the flow of technical cooperation funds.

140. The issues associated with the abuse of office by government employees have acquired new importance and significance in view of the latest trends in world economic relationships. The world is moving in the direction of more freedom in trade, open borders for goods and services, and economies structured and operating based on free-market principles. Corrupt practices have the potential of distorting the operation of modern markets and diminishing the benefits that can be derived from freedom of trade. The result of these practices may be detrimental for development and economic growth. The matter becomes even more important in cases of countries in the process of undertaking economic reforms aimed at modernizing their economies. The Congress may wish to explore the effects of corrupt practices in the context of economic reform and the implementation of measures designed to foster free trade.

141. Action against corruption requires a consistent political commitment and a composite set of measures to be effective. Prevention and control of corruption require a combination of administrative and criminal legislation. The degree to which they are complementary and proportionately interrelated depends on each country's particular administrative structures, as well as on the specific problems that need to be addressed. These measures, however, clarify certain values that should guide the performance of official duties and reflect a commitment to good governance. In this sense, certain elements are common and form the basis for fruitful and efficient international cooperation. Some of the qualities of anti-corruption measures that appear to be increasingly important are their flexibility and compatibility with those of other countries, thus easing cross-border cooperation at all levels.

Results

142. As mentioned earlier, the Branch has elaborated a draft international code of conduct for public officials (see annex II), in pursuance of resolution 7 of the Eighth Congress. The desirability of such a draft code was expressed also during the Interregional Seminar on Corruption in Government. Codes of conduct are generally considered useful as elements of corruption prevention and control. In addition to constituting a statement of values and policy, their consistent implementation can have a favourable impact on public perceptions and cooperation. The draft is the product of work done by a number of experts from all regions. It has attempted to compile certain common elements of practices around the world and is intended to serve as a basis for national legislation. The draft can be adapted to serve the specific needs, considerations and concerns of Member States. It is hoped that the comments and observations by Governments and other representatives during the regional preparatory meetings will contribute to further improvement, refinement and finalization of the text for consideration by the Ninth Congress. The code can then be placed at the disposal of Member States and used in technical cooperation efforts.

143. The plenary discussion is expected to heighten awareness among Member States of the issues briefly touched upon in the previous paragraphs. It will also provide an opportunity for the exchange of information and experiences. In this connection, the preparation of country position papers will greatly facilitate the deliberations. While presentation of all country papers may not be possible for reasons of time, their availability will greatly facilitate the Secretariat in assembling the material and information necessary to perform its mandated clearing-house functions and to identify needs for technical cooperation activities.

144. The discussion of the linkages between corruption of public officials and organized and transnational crime will assist Member States in developing integrated crime prevention legislation and devising other measures to prevent and control the problem.

145. The Manual on Practical Measures against Corruption and the draft international code of conduct for public officials can provide the basis for the design of training programmes for public officials and criminal justice personnel, as well as the provision of practical assistance to Member States, particularly in the development or revision of appropriate legislation, as well as advisory services for the detection, investigation and prosecution of corruption cases. The plenary discussion can provide useful feedback on their relevance, which will be very valuable in reviewing their effectiveness and revising them if necessary.

Notes

[1]Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: Report prepared by the Secretariat (A/CONF.121/22/Rev.1) (United Nations publication, Sales No. E.86.IV.1).

[2]Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: Report prepared by the Secretariat (A/CONF.144/28/Rev.1) (United Nations publication, Sales No. E.91.IV.2).

[3]World Urbanization Prospects: The 1992 Revision (United Nations publication, Sales No. E.93.XIII.11).

[4]Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I. Resolutions adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigenda), annex I. In December 1991, an international seminar was organized by the International Centre for Sociological, Penal and Penitentiary Research and Studies (INTERCENTER) in collaboration with UNICRI, at Messina, Italy, to discuss the preliminary results of the project, presented in C. Zanghi, ed., "Protection of the environment and penal law" (Bari, Casucci, 1993).

[5]Violence against Women in the Family (United Nations publication, Sales No. E.89.IV.5).

[6]See H. J. Albrecht and S. Leppa, eds., Criminal Law and the Environment, Publication series No. 22 (Forssa, Finland, HEUNI, 1992), based on the results of the project on "The policy of criminal law in the protection of nature and the environment in a European perspective", covering 13 European countries, presented at a seminar at Lauchhammer, former Federal Republic of Germany, in April 1992. See also Anna Alvazzi del Frate and Jennifer Norberry, eds., "Environmental crime, sanctioning strategies and sustainable development", Publication No. 50 (UNICRI/AIC, Rome/Canberra, 1993).

[7]Trends in Crime and Criminal Justice, 1970-1985, in the Context of Socio-Economic Change (United Nations publication, Sales No. E.92.IV.3). See also two related publications Manual for the Development of Criminal Justice Statistics, Series F, No. 43 (United Nations publication, Sales No. E.86.XVII.16) and Guide to Computerization of Information Systems in Criminal Justice, Series F, No. 58 (United Nations publication, Sales No. E.92.XVII.6).

[8]United Nations publication, Sales No. E.93.IV.4.

## Annex I

## PROPOSED TIMETABLE AND SCHEDULE OF WORK FOR WORKSHOPS

### WORKSHOP A

**Extradition and international cooperation: exchange of national experiences and implementation of relevant principles in national legislation**

Duration: One day

Organizer(s): Government of the United States of America; International Association for Penal Law (AIDP); and Crime Prevention and Criminal Justice Branch, United Nations Office at Vienna (CPCJB/UNOV).

1993

| ACTION | RESPONSIBILITY | DATES |
|---|---|---|
| Initial meeting | USA/CPCJB | 23 April 1993 |
| Letters to Member States and questionnaire on topics for workshop | CPCJB to draft, USA to comment | October 1993 |
| Completion of concept organizational paper | CPCJB, USA to contribute | November 1993 |
| Translation of letter and questionnaire (English, French, Spanish) | CPCJB | November 1993 |
| Letter sent to Member States | CPCJB | November 1993 |
| Decision as to whether preparatory meeting necessary, and if so, its terms of reference | USA, in consultation with CPCJB | December 1993 |

1994

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|---|---|---|
| Receipt of responses from Member States to questionnaire | CPCJB to forward to USA Government | January 1994 |
| Deadline for preparation of a position paper | USA Government, CPCJB to comment | 15 May 1994 |
| Preparatory meeting, if any | USA Government and any other cooperating partners | Yet to be determined |

1995

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|---|---|---|
| Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders | | 1995 |

WORKSHOP B

Mass media and crime prevention

Duration: one day

Organizer(s): Australian Institute of Criminology (AIC); Arab Security Studies and Training Centre (ASSTC).

1993

| ACTION | RESPONSIBILITY | DATES |
|---|---|---|
| Position paper outline | AIC | 1 October 1993 |
| Draft organizational paper | AIC/ASSTC | 15 October 1993 |
| Draft agenda | AIC/ASSTC | 15 October 1993 |
| Invitations to experts | AIC | 15 November 1993 |

1994

| | | |
|---|---|---|
| The Ninth Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme (Riyadh, Saudi Arabia) | | January 1994 |
| Expert meeting report | | |
| Selection of criminal justice officials, directors of television programmes, journalists and experts from different regions | | |
| Deadline for preparation of a position paper | | 15 May 1994 |

1995

| | | |
|---|---|---|
| Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders | | 1995 |

WORKSHOP C

Urban policy and crime prevention*

Duration: One day

Organizer(s): Mediterranean Group of States; Constituent Board of the Montreal International Centre for the Prevention of Crime (ICPC); College of Architecture and Urban Planning, University of Michigan, USA; Latin American Institute for the Prevention of Crime and the Treatment of Offenders; African Institute for the Prevention of Crime and the Treatment of Offenders; Arab Security Studies and Training Centre (ASSTC); Latin American Forum of Mayors for Urban Safety and European Forum for Urban Safety.

1993

| ACTION | RESPONSIBILITY | DATES |
|---|---|---|
| Organizational paper | Canada, France, Tunisia | 1 October 1993 |
| Experts meeting | ICPC, Montreal | 15-17 November 1993 |

1994

| | | |
|---|---|---|
| Meeting of Interregional Planning Group to further preparation of position paper, provisional agenda and plans for preparation of multiplier mechanisms | ICPC, Montreal | 28-30 March 1994 |
| Meeting of member States of the Mediterranean Group | Paris, France | March 1994 |
| Meeting of Latin American Forum for Urban Safety | Curatiba, Brazil | 21-24 March 1994 |
| Third session of the Commission | Vienna, Austria | 26 April-6 May 1994 |
| Coordination meeting to assess the preparatory work and agree on a common scheme for further preparation of the workshop | | July 1994 |
| Meeting of member States of the Mediterranean Group | Tunis | September 1994 |
| Meeting of interregional planning group to review progress on multiplier plans | ICPC, Montreal | September 1994 |

1995

| | | |
|---|---|---|
| Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders | | 1995 |
| Interregional training courses | | May to October 1995 |
| Regional cooperation agreements implemented | Selected regions | May to October 1995 |
| Regional model projects and exchange programmes | Selected regions | May to October 1995 |

*Calendar subject to further consultations.

WORKSHOP D

Prevention of violent crime*

Duration: One day

Organizer(s): Mediterranean Group of States; Constituent Board of the Montreal International Centre for the Prevention of Crime (ICPC); the College of Architecture and Urban Planning, University of Michigan, USA; Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD); African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI); Arab Security Studies and Training Centre (ASSTC); Australian Institute for Criminology; Latin American Forum of Mayors for Urban Safety and European Forum for Urban Safety.

1993

| ACTION | RESPONSIBILITY | DATES |
|---|---|---|
| Organizational paper | Canada, France, Tunisia | 1 October 1993 |
| Experts meeting | ICPC, Montreal | 15-17 November 1993 |

1994

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| Interregional survey for best practice, delivery mechanisms, and knowledge of causes of violence | ICPC, Montreal and AIC in collaboration with CPCJB | January 1994 |
| Ninth Coordination Meeting of the United Nations Crime Prevention and Criminal Justice programme (Riyadh, Saudi Arabia) | | 24-27 January 1994 |
| Meeting of Interregional Planning Group to further preparations of position paper, provisional agenda and plans for preparation of multiplier mechanisms | ICPC, Montreal | 28-30 March 1994 |
| Meeting of member States of the Mediterranean Group | Paris, France | 10-11 March 1994 |
| Meeting of Latin American Forum for Urban Safety | Curatiba, Brazil | 21-24 March 1994 |
| Third session of the Commission | Vienna, Austria | 26 April-6 May 1994 |
| Coordination meeting to assess the preparatory work and agree on a common scheme for further preparation of the workshop | | July 1994 |
| Meeting of member States of the Mediterranean Group | Tunis | September 1994 |
| Meeting of interregional planning group to review progress on multiplier plans | ICPC, Montreal | September 1994 |
| Regional meetings on best practice, delivery mechanisms, and knowledge of causes of violence | ICPC in collaboration with UN Regional Institutes - ILANUD, UNAFRI, ASSTC and others | October 1994 |

*Calendar subject to further consultations.

1995

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| Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders | | 1995 |
| Interregional training courses | | May to October 1995 |
| Regional cooperation agreements implemented | Selected regions | May to October 1995 |
| Piloting of national kits for holistic violence prevention in schools | Selected regions | May to October 1995 |
| Regional model projects and exchange programmes | Selected regions | May to October 1995 |

WORKSHOP E

Environmental protection at national and international levels: potentials and limits of criminal justice

Duration: Two days

Organizer(s): United Nations Interregional Crime and Justice Research Institute, Rome (UNICRI); European Institute for Crime Prevention and Criminal Justice, affiliated with the United Nations (HEUNI); Australian Institute of Criminology (AIC); Max-Planck Institute for Foreign and International Criminal Law.

1993

| ACTION | RESPONSIBILITY | DATES |
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| 1st Working Group meeting | UNICRI | 26-27 April 1993 |
| Letters to national experts | UNICRI | May 1993 |
| Pilot study | National experts | June 1993 |
| Deadline for comments and pilot study | National experts | 15 August 1993 |
| First Experts meeting & second Working Group meeting | Gozo, Malta | 30 September-2 October 1993 |
| Deadline for preparation of the outline of the position paper and the preliminary organizational paper | UNICRI/Working Group | 1 October 1993 |
| Progress report | UNICRI | December 1993 |

1994

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| Deadline for the preparation of the introductory chapter on the background studies | Australian Institute of Criminology | March 1994 |
| Second experts Meeting & Meeting with the rapporteurs & third Working Group meeting | Portland, Oregon | 21-27 March 1994 |
| Meeting of the drafting group for position paper | HEUNI | April 1994 |
| Third session of the Commission | Vienna, Austria | 26 April-6 May 1994 |
| Deadline for the preparation of the position paper | Working Group | 15 May 1994 |
| Preparation of the remaining background material | UNICRI | September 1994 |
| Printing and copying | UNICRI | November 1994 |
| Shipping | UNICRI | December 1994 |

1995

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| Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders | | 1995 |

WORKSHOP F

**International cooperation and assistance in the management of the criminal justice system: computerization of criminal justice operations and the development, analysis and policy use of criminal justice information.**

Duration: Two days

Organizer(s): European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI); United Nations Interregional Crime and Justice Research Institute (UNICRI); Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI); Office of International Criminal Justice (OICJ), University of Chicago, Illinois, United States.

1993

| ACTION | RESPONSIBILITY | DATES |
|---|---|---|
| Consultations | HEUNI | May/June 1993 |
| First meeting of the working group | CPCJB | 5-6 October 1993 |
| Deadline for preparation of the outline of the position paper and the preliminary organizational paper | Working Group | 30 October 1993 |
| Progress report | HEUNI | December 1993 |

1994

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| Editorial meeting of the drafting group and second working group meeting | Vienna, Austria | 27 February 1994 |
| Deadline for the preparation of the introductory chapter on the background papers | HEUNI | 30 March 1994 |
| Third session of the Commission | Vienna, Austria | 26 April-6 May 1994 |
| Deadline for the position paper | HEUNI | 15 May 1994 |
| Ad-hoc expert preparatory group meeting at UNAFEI: 2-3 days | UNAFEI | 15 May-15 June |
| Preparation of the remaining background material | HEUNI | 15 September 1994 |
| Printing and copying of that material | HEUNI | 15 November 1994 |
| Shipping | HEUNI | 15 December 1994 |

1995

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| Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders | | 1995 |

Annex II

# DRAFT INTERNATIONAL CODE OF CONDUCT FOR PUBLIC OFFICIALS

## INTRODUCTION

Codes of conduct are generally considered very important integral parts of consolidated efforts against corruption. They are regarded as necessary to offer guidance to public officials upon entry into service and during their career. Further, codes are deemed important as a vehicle by which a public administration can articulate its basic policy directions, values and intentions in such a manner that would achieve two primary goals: to give public officials a clear understanding of their obligations and the administration's expectations in a concise and basic text that could be readily available for reference purposes; and to instil confidence in the public regarding the administration's intention not to condone questionable practices or abuse of power. Both goals can be attained if violations of the code are dealt with through the imposition of sanctions, whose severity and nature would depend on the gravity of the violation and the specific legal system.

The point of departure for the draft code is the compilation of basic standards of integrity and performance expected of public officials. The criterion for these standards is their wide acceptance in various countries around the world. The draft would be intended as a legislative text to be enacted within the appropriate framework and supported by other legislation, both administrative and penal.

The term "public officials", as used in this draft, is deemed to include all persons vested with the power and authority to make, implement, enforce, amend or revoke Government policy and decisions, and to render services to the public, with or without remuneration.

## I. GENERAL PRINCIPLES

1. A public office is a public trust. The primary loyalty of public officials shall be to their country, through the democratic institutions of government, and not to persons, political parties or specific government departments or agencies.

2. Public officials shall ensure that they possess an adequate understanding of the laws of their country, and a good knowledge of the laws and regulations pertaining to their functions and assigned duties, and shall apply them to the best of their ability.

3. Public officials shall ensure that they perform their functions in an efficient and effective manner. They shall at all times seek to ensure that public resources are administered in the most effective and efficient manner.

4. Public officials shall be attentive, fair and impartial in the performance of their functions and, in particular, in their relations with the public. They shall at no time afford preferential treatment to any group or individual, discriminate against any group or individual, or otherwise abuse the power and authority vested in them.

## II. CONFLICT OF INTEREST/DISQUALIFICATION

5. Public officials shall never in any way use their official authority for the advancement of their own or their family's personal or financial interests. They shall not engage in any transaction or have any financial interest that is incompatible with their office, functions and duties, or the discharge thereof.

6. All public officials shall, unless exempted, declare relevant business, commercial and financial interests upon entering the service. This information shall be updated regularly. In situations of possible or perceived conflict of interest, public officials shall disqualify themselves from the decision-making process.

7. Public officials shall at no time use public property, or information acquired in the performance of or because of their official duties for activities not related to their official work.

8. Within a stated period after separation from public service, public officials holding managerial positions shall obtain governmental permission prior to accepting employment or consultancy assignments from business or private concerns that are in financial relationship with the governmental department or agency in which such officials were employed. During the same period after separation, such permission shall also be required prior to engaging in any private or business activity related to, or dependent on, their previous position in public service.

## III. DISCLOSURE OF ASSETS

9. Public officials holding managerial or policy-making positions shall upon request disclose to their employers all personal property, assets and liabilities, as well as those of their spouses and/or other dependents. Such officials shall also provide detailed information on the source of any property or asset acquired after their appointment to a senior post. All information provided shall be treated as confidential and may only be disclosed within the framework of special procedures.

## IV. ACCEPTANCE OF GIFTS OR OTHER FAVOURS

10. Public officials shall not place themselves in a position of being under a moral obligation to accord preferential treatment or special consideration to any person or entity, for instance by accepting directly or indirectly any gift, gratuity, favour, entertainment, loan or anything of monetary value.

## V. DISCLOSURE OF CONFIDENTIAL INFORMATION

11. Public officials shall not disclose to any member of the public, either orally or in writing, any confidential information acquired by virtue of their position or in the performance of their functions, unless they have received express official permission. Public officials shall not, unless legally obliged to do so, disclose any information that may be damaging to national security or to the interests of individuals, groups or other entities. Such restrictions shall apply also after separation from service.

## VI. PUBLIC COMMENT AND POLITICAL ACTIVITY

12. The political activity of public officials shall not be such as to impair public confidence in the performance of their functions and duties.

13. Public officials shall not engage in public criticism of governmental or departmental policy. They shall refrain from publicly expressing their personal views on matters of political controversy or government policy. However, speeches, lectures, articles or conference papers may be given, subject to prior permission.

## VII. REPORTING/DISCIPLINARY ACTION/IMPLEMENTATION

14. Public officials shall have an obligation to report violations of the code or the indication thereof to the appropriate authorities.

15. Public officials who knowingly and deliberately disregard the provisions of the code shall be subject to the appropriate disciplinary, administrative and penal sanctions.

16. Violations of the provisions of paragraphs 5-11 of the Code shall be punishable also under the criminal laws of the country, by sanctions that may include forfeiture and confiscation of illicit proceeds and compensation to any injured party, including the State.